

Application No.: 10/790,987
Filing Date: March 2, 2004

REMARKS

In the Advisory Action and Attachment dated March 11, 2009, the Examiner stated that newly added Claims 40-45 were not supported in the portion of the Specification identified by the Applicant.

The Applicant respectfully disagrees with the Examiner's characterization of the features described in the Specification and the Examiner's assertion that claims 40-45 are not supported by the specification. However, in order to further prosecution of the instant application, the Applicants have cancelled claims 40-45 and reserve the right to pursue these cancelled claims at a later date in one or more continuation applications.

Allowable Subject Matter

The Office Action dated November 4, 2008 indicated that Claims 15-19 are allowed and Claims 15-19 remain pending. Furthermore, all remaining claims have been canceled. The Applicants therefore submit that the Application is in condition for allowance.

SUMMARY

The Applicants have endeavored to address all of the Examiner's concerns as expressed in the Advisory Action. Accordingly, amendments to the claims, the reasons therefore, and arguments in support of patentability of the pending claim set are presented above. Any claim amendments which are not specifically discussed in the above remarks are made in order to improve the clarity of claim language, to correct grammatical mistakes or ambiguities, and to otherwise improve the clarity of the claims to particularly and distinctly point out the invention to those of skill in the art. The Applicants may not have presented in all cases, arguments concerning whether the applied references can be properly combined or modified in view of the deficiencies noted above, and the Applicants reserve the right to later contest whether the cited references can be properly combined or modified. Finally, the Applicants submit that the claim limitations above represent only illustrative distinctions. Hence, there may be other patentable features that distinguish the claimed invention from the prior art.

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicants are not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this

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application. The Applicants reserve the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

In view of the foregoing, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections and, particularly, that all claims be allowed. If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully invited to call the undersigned.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: March 19, 2009

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